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Forty-fifth session

SUMMARY RECORD OF THE 493rd MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 5 October 1994, at 10 a.m.

Chairman: Mr. J. E. LARSEN (Denmark)

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General debate (continued)

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GE.94-04022 (95-95305/EXT)

The meeting was called to order at 10.20 a.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. EKSTEEN (Observer for South Africa) said that it was an honour for South Africa to address the forty-fifth session of the Executive Committee, especially since it was the first time that his country had participated in the Committee's work.

2. Recent years had been marked by dramatic events in South Africa. Thanks to the decisive role played by UNHCR since the beginning of the process which had led to the elections and the establishment of the Government of national unity, South African exiles had been able to return home to contribute to the democratization and building of their nation. The voluntary repatriation of South Africans in conditions of security and dignity was a striking example of the impact of an essentially humanitarian operation on the process of political reconciliation in a country.

3. Within that sensitive operation UNHCR had been the first United Nations body to be authorized by the General Assembly, in resolution 44/244, to establish representation in South Africa. Thanks to the good offices of UNHCR several other United Nations bodies had been able to undertake their own operations in the country. The High Commissioner had also attended, as special envoy of the Secretary-General, the first multi-partite talks in Africa, in December 1991.

4. Although it was having to cope with the enormous and urgent needs of its people, South Africa was determined to take part in the international efforts to relieve human suffering throughout the world. For example, it had contributed to the delivery to Bosnia of a fully equipped field hospital and was paying the transport costs of almost 8,000 tons of emergency supplies for Rwanda. In addition, the humanitarian aid furnished by South Africa for the repatriation of Mozambican refugees was playing a vital role in the normalization of the situation in Mozambique.

5. The South African Government was profoundly concerned about the fact that the number of refugees in Africa had increased by a factor of seven over the past 25 years and that Africa had some 20 million internally displaced persons. However vital the action of UNHCR, it could not serve as a substitute for the prevention of conflicts. The Organization of African Unity (OAU) and UNHCR were therefore to be congratulated for having organized in Addis Ababa in September a symposium on forced displacement in Africa, and the international community should give serious consideration to the recommendations of that meeting.

6. Mr. FERREIRA MARTINS (Observer for Angola) said that 1994 had been deeply marked by the emergence of new refugee tragedies in the world, particularly in Africa, where the situation in Rwanda had taken on disastrous proportions. In its solidarity with the people of Rwanda, Angola appealed to the international community to continue to support the refugees of that martyred country and assist with its rebuilding.

7. Despite the negotiations between the Government and UNITA which had been going on in Lusaka for almost 10 months, the war persisted in Angola, with its share of destruction and suffering. In conjunction with the Angolan Government,

the United Nations had recently submitted a new appeal to donors for humanitarian aid to turn the corner of 1994, i.e. a total of $US 61,143,447. Once peace had been restored the Angolan Government would draw up in collaboration with UNHCR a detailed plan for the continuation of the repatriation operations for Angolan refugees in Zaire, Zambia and Namibia. Most of the Angolan refugees were suffering shortages in the asylum countries and expected to be repatriated as soon as the security conditions were met. In order to assist the refugees in Angola, the Government had created the Commission for Recognition of the Right of Asylum (COREDA) in order, with UNHCR support, to afford them better protection.

8. Despite the difficult humanitarian crisis which its people was living through, the Angola Government was determined to intensify the distribution of humanitarian aid with a view to the resettlement of the recipients and their reintegration in society.

9. Mr. POKU (Observer for Ghana) said that his delegation wished to thank UNHCR and the NGOs and donors which were concerned about the plight of the refugees in Ghana. The UNHCR office, which had been raised to the status of branch office, had provided outstanding assistance to the authorities.

10. Since the ending of the cold war, conflicts had not only proliferated but had also changed radically in nature - a situation which the United Nations itself did not seem to have been well prepared to deal with. It was therefore no surprise that UNHCR should find itself in a very difficult and unenviable situation. Since things were probably going to get worse, the delegation of Ghana believed that the time had come for the international community to consider whether the mandate and resources of UNHCR were commensurate with the proliferation of complicated refugee situations and the related problems caused by internal displacement.

11. It was clear from the Note on International Protection (A/AC.96/830) that the 1951 Convention and the 1967 Protocol relating to the Status of Refugees had proved insufficient to cope with the new situation. The time had therefore come to bridge the gap between theory and practice. It was of course understandable that the proposal to draft a new convention should not be viable, but it would be possible to draft a declaration of guiding principles on international protection on the basis of a synthesis of refugee law in particular and of international humanitarian law in general, taking into account as well the experience acquired in the field by UNHCR and the other relevant agencies. The purpose of such a declaration would be to enlarge the definition of the concept of refugee and the scope of action of UNHCR. The notion of temporary protection might also be used in the declaration. Inspiration could also be drawn from regional instruments such as the 1969 OAU Convention and the conclusions of a symposium held recently to commemorate the twenty-fifth anniversary of its adoption.

12. However, the drafting of a declaration of guiding principles would not of itself resolve the difficulties facing UNHCR and the international community. The causes of refugee flows and displacement must be attacked at their roots. UNHCR could contribute to that undertaking by promoting and publicizing refugee law and providing the necessary training. In that connection Ghana recommended that the cooperation between the Office and the International Institute of Humanitarian Law should be institutionalized and that the Institute should

become a focal point for research, training, promotion and publicizing of refugee law. It was to be hoped that places would be found for some of the honorary members of the Institute in the think-tank which the High Commissioner proposed to create.

13. The Executive Committee and the international community as a whole must bear in mind that it was in the interest of all States to find common solutions to humanitarian problems with the objective of guaranteeing everyone's security, that the changing and complex nature of the refugee problem called for a global approach, and that the international community must never weary of dialogue, cooperation and consultation in tackling the new challenges which it faced.

14. With a view to prevention Ghana had intervened in Liberia, together with other countries of Western Africa, and had contributed to other United Nations peace-keeping operations, including the operation in Rwanda.

15. Mr. VENERA (Observer for the Czech Republic) said that, in order to heed the Chairman's appeal and save time, his delegation had submitted in writing some information about the care provided for asylum-seekers and refugees covered by the UNHCR mandate and about the applicable legislation, together with statistics and other material concerning refugees in the Czech Republic. That information was available to all participants in the meeting.

16. The Czech Republic welcomed the UNHCR strategy of prevention, emergency preparedness and intervention to deal with the problem of forced displacements. It wondered whether the international community could not have helped to prevent, or at least to reduce, the mass exodus of Rwandese refugees - more than 2.5 million - by adopting effective measures and implementing them in good time. In response to the urgent appeal made by the Secretary-General the Czech Republic had participated directly in the international humanitarian operation for Rwandese refugees.

17. It had also provided temporary protection for nationals of the former Yugoslavia, in particular of Bosnia-Herzegovina, who had been driven from their homes by the armed conflict. Since prospects for a speedy solution to the conflict seemed dubious, the Czech Republic did not recommend or provide financial support for the return of those refugees but nor did it discourage the voluntary repatriation of those who opted for that solution. After the cessation of the conflict the problem of the voluntary repatriation of nationals of the former Yugoslavia would have to be solved by close cooperation among all European countries. The Czech Republic welcomed the recommendations made by UNHCR concerning the possibility of safe repatriation and the objective and up-to-date information given about the possible risks of that solution. In that connection the ACCESS pilot project of the Refugee Documentation Centre had produced good results and provided a source of information about the countries of origin during procedures for granting of asylum.

18. The Czech Republic had the following priorities for the coming period: to implement the refugee integration programme with the support of State funding and in cooperation with local communities; to define the basic humanitarian principles of the new laws on asylum and foreigners; and to secure, in coordination with UNHCR and other countries, the integration of temporary Bosnian refugees in Czech society or their future repatriation.

19. Mr HASHIM (Observer for Bangladesh) said that, given the proliferation of conflicts in the world and the massive flows of refugees and displaced persons on all continents, UNHCR had an important role to play at the international level to protect the refugees and find solutions to their problems. Bangladesh was most appreciative of the manner in which UNHCR was tackling those challenges in practice. However, it must not be forgotten that the ultimate solution of any refugee problem was their return and reintegration in their own countries in conditions of security and dignity. The international community must focus its efforts on that goal since the fundamental needs of refugees (food and housing) were already being met.

20. In 1992 Bangladesh had received 250,000 refugees from Myanmar. Despite its economic difficulties and the demographic pressures to which it was subjected, it had been endeavouring for more than two and a half years to cope with the situation and fulfil its humanitarian obligations to the best of its ability. Many refugee camps had been set up during that period in the coastal areas of the south-east of the country. Bangladesh was grateful for the assistance provided by the international community and UNHCR for those refugees.

21. Almost every time a humanitarian crisis continued for a prolonged period, a regrettable phenomenon of "desensitizing" occurred. The refugees and the local poverty-stricken people were today in competition for access to means of subsistence and jobs; and problems were arising in the refugee camps in Bangladesh. The political pressures in the region were becoming more acute.

22. Bangladesh had sought by diplomatic means to settle the question of the repatriation of the refugees with the Government of Myanmar. The goodwill of the two countries and the desire of the international community to see a lasting settlement of the problem had led to the establishment of a UNHCR presence in Rakhine State in Myanmar. Thanks to that presence and the cooperation of the Government of Myanmar, a feeling of peace and security was emerging in the region. Bangladesh therefore thought that the refugees could now return home in conditions of security and dignity.

23. The rate of repatriation, which had been very slow in previous months, had accelerated. Most of the credit for that was due to the High Commissioner. Thanks to the UNHCR presence in Rakhine and the economic activities planned there by various United Nations bodies, there was hardly any further justification for the refugees to continue to live in camps. It was encouraging to note that 165,092 of the 176,262 remaining refugees had opted for repatriation. That ought to encourage the others to do likewise.

24. Bangladesh sincerely hoped that over the coming months, particularly during the dry season, the Myanmar authorities would do their best to receive the bulk of the refugees. It was convinced that the UNHCR staff in the field would cooperate as much as possible with the competent authorities to ensure that the repatriation was effected swiftly. It was to be hoped that there would soon be one fewer refugee problem in the world.

25. Mr. ZUZUL (Observer for Croatia) said that the terrible scenes which the world was witnessing showed that the ending of the East-West confrontation and the emergence of a new world order certainly had not meant the end of human suffering and tragedy. The international community had not yet managed to respond effectively to the ever growing needs of the tens of millions of

refugees and displaced persons on all continents. Hence the ideas of a new convention, of guiding principles, of harmonization at the regional level and of concerted action to deal with certain situations.

26. It could not be said that the international community had not done enough to resolve the issues of displaced persons and refugees and to meet the most urgent needs of people under threat. In three years the total annual expenditure of UNHCR had almost trebled, its staff had more than doubled, and excellent work had been done. That would not have been possible if the world had not been aware of the need to make additional efforts to ease the suffering of millions of human beings. However, after the experience gained, albeit involuntarily, as a result of the attack launched against Croatia and Bosnia-Herzegovina, the Government of Croatia was convinced that the means of humanitarian action were limited in situations of conflict. Humanitarian considerations should in no case be used as an excuse or pretext for declining to demonstrate the necessary political will and resolutely taking action to deal effectively with crises. Rwanda offered the most recent example of a tardy reaction by the international community to one of mankind's biggest tragedies. The international community had needed several months, the deaths of more than 500,000 people and clear messages from international observers and the Special Rapporteur of the Commission on Human Rights before it had understood that it must do more. Despite their meagre financial resources and the burden of the presence on their soil of hundreds of thousands of displaced persons and refugees, the Croatian Government and people had joined in the international effort by delivering to Rwanda medical supplies with a total value of more than $US 300,000.

27. The problem of the displaced persons and refugees in Croatia - who appeared to number about 400,000 - was very acute. For four years people had been suffering internal displacement, and the reception of refugees from Bosnia-Herzegovina had now been going on for almost 30 months. Although the shelter capacity was saturated, new refugees were arriving daily from Bosnia-Herzegovina, and the number of requests for officially organized shelter was increasing owing to the lack of funds to compensate host families. Refugees and displaced persons were increasingly demonstrating their discontent with the present situation, and most of them were suffering traumatism. That state of affairs could have considerable social and political implications for the overall situation in Croatia. The number of refugees from the regions of Banja Luka, Zenica, Tuzla and Sarajevo was increasing daily as a result of "ethnic cleansing" by the Bosnian Serbs. UNHCR had already announced that from 1995 it would end the allocations usually made for the housing of refugees in the homes of members of their families. Accordingly, the necessary funds would have to be drawn from Croatia's budget, which already had to cope with ever increasing expenditures for the medical care and schooling of refugees.

28. The problem of feeding the refugees and displaced persons was a source of acute concern to the Croatian Government. The quantities of food which Croatia received from humanitarian organizations were declining, and the European Union had also announced its intention of cutting back its programme. It was paradoxical that the food aid provided for refugees located in occupied Croatian territory or in the part of the territory of Bosnia-Herzegovina controlled by the Bosnian Serbs was greater than the aid provided for the refugees and displaced persons received in the part of Croatian territory controlled by the Croatian authorities. In relation to the number of refugees and displaced

persons which it was sheltering, Croatia had received only a tiny part of the $US 900 million spent in 1993 on the whole of the refugee population in the former Yugoslavia. Serbia, in contrast, which had been roundly condemned by the international community for having attacked Croatia and Bosnia-Herzegovina, was in a better position because it inflated the figures and abused the generosity of the international community, which it thus prevented from providing more assistance to the true victims of the aggression. Such practices must cease.

29. Furthermore, the humanitarian organizations did not always spend the available resources as rationally as they should. Their often high expenditures on logistics reduced the amounts available to meet the needs of the displaced persons and refugees.

30. With a quarter of its territory still occupied and its economy weakened by the Serbian aggression, Croatia would never have been able to shelter and assist almost 400,000 refugees and displaced persons, i.e. 10% of the total population in the free zone, without the generosity of many friendly countries.

31. It was to be hoped that the signature of the Washington Agreement and the creation of the Croat-Bosnian Federation of Bosnia-Herzegovina with the unstinting support of Croatia would prove to be milestones on the road to normalization of the situation in Bosnia-Herzegovina and improvement of the prospects for peace. Within the framework of the Working Group on Humanitarian Issues of the International Conference on the Former Yugoslavia a special group on repatriation had been mandated to review the situation and evaluate the possibilities for the return of the refugees and displaced persons. Croatia welcomed that initiative. Only an open and constructive dialogue on ways of implementing repatriation programmes would make it possible to avoid potential problems and lead to effective and smooth repatriation in dignity and security. The Government of Croatia shared the unanimous view of the international community that the conditions were not yet in place for a mass repatriation. However, in July 1994 it had adopted a national programme for the return of displaced persons and refugees, thus demonstrating its commitment to dealing systematically with the problem. To that end it had already signed tripartite declarations on the care of Croat refugees and their repatriation with several European countries and UNHCR, as well as an agreement and a protocol with the German Government. Future repatriation activities would have to be carried out essentially on the basis of bilateral agreements between Croatia and the receiving countries. UNHCR assistance would be essential in that undertaking.

32. It must be stressed that the repatriation programme, the rebuilding of houses and the restoration of the infrastructure and the economy would require a far from insignificant contribution from the international community. Some actions of that kind had already been organized for Sarajevo, and the European Union had funded projects in Mostar. Croatia hoped that the "weariness" of the donors would not undermine the financing of the recovery of the areas devastated by the war.

33. Mr. LACOUL (Observer for Nepal) observed that the refugee situation was gloomier than ever and that the Executive Committee had an enormous number of issues to deal with. The international community must today take effective action to prevent the flows of refugees in various parts of the world. Although they bore none of the responsibility, children, women and old people were suffering the consequences of civil wars due to ethnic strife, national

political conflicts, and the deterioration of social and economic conditions. Lasting solutions must be found for that problem within the framework of institutions such as UNHCR by addressing its root causes. The World Conference on Human Rights held in Vienna in June 1993 had seen identified flagrant violations of human rights as one of the main causes of displacement.

34. The Nepalese delegation congratulated UNHCR which, despite limited financial and human resources, was providing various kinds of assistance to refugees. It paid a tribute to members of the UNHCR staff who risked their lives to ease human suffering. But the refugee problem had taken on such proportions that no single organization could solve it. Thus the Nepalese delegation once again commended the efforts made by UNHCR to ensure coordination with other United Nations bodies and international and national NGOs.

35. Nepal, landlocked and one of the least developed countries, had received more than 100,000 refugees. Their influx had aggravated the degradation of the environment and the country's social problems, in particular the pressures on the economy. The Nepalese Government had provided the refugees with shelter and was helping to manage the camps. It was firmly committed to the right of the refugees to return home in conditions of security and dignity.

36. In collaboration with other organizations UNHCR was playing a leading role by providing the refugees with food and shelter, and with water, sanitation, health, education and community services. In its assistance programme for the refugees in Nepal UNHCR emphasized self-management, the representation of women refugees in the camp committees, income-generating activities, training and education. The proposed programme for 1995 was a modest one in comparison with previous years, and it was to be hoped that its aims and priorities would not suffer any major cutbacks.

37. The Nepalese Government was grateful to UNHCR, the other organizations and the donor community for the generous aid which they had given to the refugee camps in the east of the country. In view of its increasing responsibilities, UNHCR must be able to count on cooperation from all quarters. It was essential to show understanding of the suffering of innocent persons, uprooted women and children in particular, and to help UNHCR to find lasting solutions to the problems. The existence of millions of displaced persons in the world on the threshold of the twenty-first century was a bad omen for the maintenance of peace and order, especially as the displacements were due largely to violations of human rights.

38. In its review of the situation in Asia and Oceania the Office noted with concern that the appropriate solutions for the Bhutan refugees and asylum-seekers in Nepal had made hardly any progress. The Nepalese Government recalled in that connection that it had repeatedly thanked UNHCR for its offer of good offices in the search for a lasting solution to the plight of the Bhutan refugees living in the camps in Nepal. It was determined to pursue a serious dialogue with Bhutan. It was not in the interests of the traditionally friendly relations between the two countries for the negotiations to drag on. The presence of nearly 100,000 refugees in the camps in Nepal had already begun to have harmful effects on the environment. The local population was also showing signs of discontent. The Government was therefore under strong pressure from public opinion to speed up the negotiations, which were intended to produce a lasting solution. The Nepalese delegation therefore welcomed the High

Commissioner's intention to initiate a separate dialogue with the authorities of Nepal and Bhutan. It believed that the proposal reflected a sincere and impartial wish to facilitate the speedy conclusion of an agreement on the modalities for settlement of the problem of the refugees in Nepal.

39. Mr. KANYANYA (Observer for Malawi) said that Malawi had received more than a million Mozambican refugees in the past eight years. It respected unreservedly the provisions of the 1951 Convention and the 1969 OAU Refugees Convention and acknowledged, in accordance with those instruments, that a refugee was a human being who must enjoy the fundamental rights and freedoms without any discrimination. In Malawi the refugees had all enjoyed total freedom of movement and had not been compelled to live in camps. Their Malawi brothers had made available small plots of land for them to live on and farm when possible. In addition, efficient and cordial working relations had been established between the Government of Malawi and UNHCR and the various NGOs, which had worked tirelessly to ensure that the Mozambican refugees retained their human dignity. That had provided an example of a Government managing a crisis in conjunction with its partners in the best possible conditions. The Government of Malawi offered its warm thanks to the High Commissioner and her colleagues in Malawi, as well as to the various donors which had contributed to the success of the programme for the Mozambican refugees.

40. The peace agreements signed in Rome on 4 October 1992 between the Government of Mozambique and RENAMO had put an end to 16 years of war. They had helped to reestablish normal life in Mozambique. Malawi had therefore engaged in the process of voluntary repatriation in November 1993. The refugees had reacted enthusiastically and many of them had returned home. In February 1992 there had been more than a million refugees but now only about 259,000 remained, and many of them were waiting, before they decided to act, only for the result of the elections which were to take place in their country at the end of October 1994. Malawi had the feeling that the peace agreements would be respected in the interest of the people of Mozambique and of mankind and it hoped that the elections would take place in the best possible conditions.

41. The refugee problem appeared almost solved in Malawi, but the Malawi Government still needed the assistance of UNHCR and the donors in certain areas. Firstly, despite the efforts at persuasion which had been made, some of the refugees had not yet decided to return eventually to their own country. The Malawi Government had no intention of repatriating them by force. It therefore urged UNHCR and the donors to continue to provide assistance to the refugees until they were in a position to return home. Both the Malawi Government and UNHCR were following the situation closely. There were grounds for hoping that the programme for the Mozambican refugees might be concluded within the coming 12 months.

42. The Malawi refugees abroad were returning home in the wake of the recent democratization in Malawi after having spent almost 30 years in exile. During the past two years the donor community had terminated all aid to Malawi owing to its serious human rights failings, poor administration and lack of transparency. Some of the Malawi refugees had requested UNHCR protection, but most of them had not done so, out of fear of detection by the secret agents of the previous Government. Since the proclamation of a general amnesty in 1993 most of the exiles had returned, almost half of them enjoying UNHCR assistance with their departure from the asylum country. In its desire to improve a seriously

tarnished image the previous regime had not appealed to the donor community to facilitate the resettlement of the returnees. The new Government had therefore to tackle that difficult task and it requested the Executive Committee to consider providing assistance.

43. The Malawi Government also requested the Executive Committee to look more closely at the harmful effects of refugee flows on the environment of the asylum countries. The 12 districts in Malawi where the Mozambican refugees had been received had suffered widescale deforestation and soil degradation, with serious consequences for the country's economy. A draft rehabilitation project costing a total of more than five million dollars had been drawn up for submission to UNHCR.

44. There was also the problem of the free circulation of weapons in Malawi, which explained the presence of many armed combatants among the Mozambican refugees. Armed robbery, previously unknown in Malawi, had proliferated, and posed a serious threat to people's lives and possessions. The problem had grown worse since the refugees had begun to return home because the ones in possession of weapons knew that they could not take them with them and so sold them cheaply to the local people. The Malawi Government therefore requested the Executive Committee and UNHCR to provide it with the necessary technical assistance to eliminate any hidden firearms and ammunition.

45. Over the past two years Malawi had witnessed a new influx of refugees to the towns. Those refugees, from the north, east, centre and west of Africa, did not pose the same problems as the Mozambican refugees. The Malawi Government was grateful for the aid which it had already begun to receive from UNHCR to cope with the problem.

46. Malawi believed that a peaceful transition from one regime to another constituted the only means of lasting settlement of the refugee problem. In addition to its care and maintenance programme for the refugees, UNHCR ought also, in appropriate cases, invite Governments to refrain from any act which might trigger movements of refugees. It should be recalled that while Malawi received refugees from various regions and from Rwanda in particular, a Malawi contingent was helping the United Nations to establish peace in that country. Malawi hoped that the factions in the conflict would interpret the efforts made by the United Nations as an attempt to establish a lasting peace and would lay down their arms and cease hostilities for the good of Rwanda and of all mankind.

47. MR. MOVSESSIAN (Observer for Armenia) said that, although the refugee problem had worsened over the past 30 years, Armenians had unfortunately known the problem since 1915. In recent years the situation in Armenia had deteriorated considerably for various reasons. The disastrous earthquake in 1988 and the total blockade of the country for more than five years by some of its neighbours had had negative effects on its economy. For example, for more than four years people had been living without heating or electricity, and more than 30% of the population were homeless, including 700,000 victims of the earthquake and more than 400,000 refugees, expelled persons or migrants. The present wave of Armenian refugees was a result of the tragic events in Sumgait in February 1988, following which masses of Armenians had been expelled from hundreds of towns and villages in Azerbaijan. In that connection Armenia wished to offer its sincere thanks to the countries which had generously received the Armenian refugees, in particular the Russian Federation, which had opened its

doors to almost 80,000 Armenian refugees from Azerbaijan. The Nagorny-Karabakh conflict had caused a new wave of refugees which had further aggravated the situation in Armenia, where more than 6,000 Armenians from Abkhazia had also taken refuge. In addition, tens of thousands of inhabitants of frontier regions had been forced to leave their homes, which were the targets of systematic bombardment.

48. Armenia was grappling with another big problem - unemployment. In fact, 74% of the refugees fit to work were currently unemployed and there was no possibility of finding them work in the near future owing to the country's economic crisis. In such circumstances the problem of compensation was of paramount importance. The Armenian refugees from Azerbaijan had so far received no compensation for the property which they had abandoned, whereas in 1989 the Armenian Government had paid 70.8 million roubles to Azerbaijanis who had left Armenia. Compensation would enable thousands of refugee families to cope with some of their problems. Armenia was ready to resume the talks with Azerbaijan to resolve such difficulties as quickly as possible.

49. The refugees led very difficult lives on a monthly income equivalent to one-third of a United States dollar, and their mortality rate had doubled in recent years, partly as a result of the blockade. Despite all the difficulties, the Armenian Government had made arrangements to ease some of the social and economic problems of the refugees. For example, it had drawn up a programme of housing construction and social protection which envisaged inter alia the provision of 18,000 dwellings for refugees over the next five years, but implementation of the programme was blocked by lack of funds.

50. Armenia had also enacted legal instruments for the protection of the rights of refugees in accordance with the standards of international law. In that connection it should be recalled that in May 1993 the Armenian Parliament had ratified the 1951 Convention and the 1967 Protocol and that in November of the same year it had been the first CIS country to join the International Organization for Migration. Bills on Armenian citizenship and the status of refugee were currently before the Parliament.

51. Without external assistance the Armenian authorities did not have the means of solving the social and economic problems of the refugees. It must be stressed in that connection that considerable assistance had been given to some 130,000 needy refugees by UNHCR and other international bodies, as well as by the United States and the European Union, and Armenia was extremely grateful to them.

52. The Armenian Government believed that the solution of the refugee problem depended primarily on the restoration of peace in the region. It had called repeatedly for the early restoration of peace and for the reestablishment of good-neighbourly relations with all States and all peoples. It advocated an immediate and permanent cease-fire in the region, the deployment between the two parties to the conflict of CIS intervention forces and CSCE observers, and determination of the status of Nagorny-Karabakh by means of political negotiations. It was ready to accept any solution provided that it was acceptable to the people of Nagorny-Karabakh.

53. Armenia was in favour of convening a world conference to consider the solution of the more general problem of refugees, displaced persons and

migrants, a matter raised in General Assembly resolution 48/133, as well as a regional conference to precede the world conference and deal with the situation in the States of the former Soviet Union.

54. Armenia hoped that peace would be restored between the peoples of Armenia and Azerbaijan, which were condemned by the nature of things to live side by side and had no other choice than to be good neighbours. The Governments of Armenia, Azerbaijan and Nagorny-Karabakh must find solutions to enable them to normalize their relations and understand each other better.

55. Mr. BALOI (Observer for Mozambique) said that thanks to the efforts of the international community the first genuinely pluralist elections would take place in Mozambique on 27 and 28 October. The process of democratization was now well under way in Mozambique. Without the aid received from other countries, either directly or through UNHCR or other United Nations agencies, he would have been unable to inform the Executive Committee that 1.1 million Mozambican refugees had already returned home. Most of them had done so of their own accord, but a considerable number had returned to Mozambique under an organized repatriation programme. The programme had moreover been expanded in 1994 with the restoration of peace and the approach of the elections and the sowing season. That was a welcome development, but the returnees had not waited until the necessary conditions had been established for proper resettlement. Mozambique would therefore have to intensify its efforts to guarantee the minimum conditions necessary for reintegration and thus prevent an influx of people to the urban areas or a return flow to the asylum countries. In that context it was vital to restore the basic services in the rural areas, and particular attention was being given to the farming sector for the 1994/95 season in order to encourage food self-sufficiency in the countryside and help the returnees to rebuild their lives. Such measures were basically in conformity with the strategy advocated by the High Commissioner.

56. Mozambicans had experienced the bitter reality underlying such terms as refugee, displaced person, and dislocated or fragmented society, for that had been the fate of millions of them. However, the situation in Rwanda exceeded all imagining, and he wished to express Mozambique's solidarity with the people of Rwanda and the hope that its profound suffering would soon be over.

57. On behalf of the outgoing Government of Mozambique he offered his country's profound gratitude to all those who had helped it on the road to national reconciliation and democracy. The refugees, who over the past 10 years had received assistance from UNHCR, neighbouring countries, the international community, bilateral donors and NGOs, had now returned home, and continued assistance was needed to reinforce that successful outcome by working for their reintegration.

58. Mr. MUGABO (Observer for Rwanda) said that the Government of Rwanda was grateful to UNHCR and the international community for the aid given to the people of Rwanda during the difficult period which it had just endured. The first UNHCR office in Africa had been established in Bujumbura in the early 1960s in order to take care of Rwandese refugees, and that support had been continued up to the present. The Rwandese people had known suffering and hardship for 35 years, and the Government of Rwanda was convinced that with the support of the international community it could and must put an end to the cycle of violence and bring about a return to peace and reconciliation.

59. The refugee problems which had marked the past 35 years were the legacy not only of a colonial system which had exploited divisions but also of a succession of dictatorships which had put the interests of the leaders before those of the citizens. The civil crisis in 1959, which had brought two social groups into conflict, had led to the massacres which had forced 350,000 Rwandese to take the road of exile. Their numbers had increased to almost a million when the war broke out in October 1990. Efforts had been made at the regional level to solve the Rwandese refugee problem, but the Declaration of Dar es-Salaam of February 1991 had not led to a lasting solution owing to the persistence of the war. The negotiations in 1992-1993 had resulted in the Arusha Peace Accord, to which had been appended a protocol on repatriation and integration of the refugees and the return of the displaced persons. But a genocidal conflict had broken out in April before the agreement had been put into effect. That conflict had cost the lives of more than a million people, not 100,000 as the UNHCR report stated, and had produced two million refugees.

60. At present a million Rwandese were still living as refugees in the camps in Zaire and 500,000 in the western part of the United Republic of Tanzania. Those refugees, most of whom had fled under pressure from the political and military authorities, were today still being held hostage by the forces responsible for the genocide. Those same forces continued to terrorize the crowds of refugees and threaten the humanitarian workers which the international community had sent to help them. Members of the former Government still held sway in the refugee camps, where criminals who had committed atrocities were even trusted with a security role. The whole situation contravened the conventions on the protection of refugees. The refugees were thus dissuaded from returning to Rwanda; in addition, the members of the former Government were threatening to attack Rwanda and kill anyone they found. Their attitude had prompted a large number of people to flee the country in recent weeks.

61. The repatriation of the refugees who had long been living in Uganda, Burundi and the United Republic of Tanzania had begun nine months earlier. More than 400,000 Rwandese living in exile, some of them for 35 years, had returned home of their own accord and had settled in extremely chaotic conditions. The situation was such that many of them had moved into housing which had just been abandoned. The inevitable problems arising from such a situation had been drawn to the attention of UNHCR and the international community. Unfortunately, little attempt had been made to offer a solution involving planned resettlement on a scale which measured up to the needs. Many of the returnees had no shelter or other essentials such as water. In addition, more than 400,000 long-term Rwandese exiles living in northern Kivu in Zaire were being prevented by the former Rwandese army from returning home, and those who disregarded the ban were killed before they reached the frontier.

62. The lack of a resettlement programme and the general shortage of resources gave rise to instability and conflicts, in particular when people settled at random and appropriated land belonging to others. In the long term such acts undermined the prospects of the process of national reconciliation which the country urgently needed. The national economy had collapsed. The recent refugees themselves had mostly lost their possessions or had their homes destroyed. The lack of a concerted international effort to meet the fundamental needs of rural dwellers and returnees in urban areas was plunging the people of Rwanda ever deeper into an extreme poverty which might become the source of even greater instability.

63. The Government of Rwanda requested the High Commissioner to urge the international community to introduce some changes which would facilitate reconciliation and national unity and to establish the conditions for a relaunch of economic development. It proposed in that connection that emergency action should be taken to disarm all the members of the armed forces and militia in the refugee camps, that the administrative and military structures in the camps in which members of the former Government participated should be dismantled, that former soldiers and militia members should be separated from the civilians, and that persons who had decided to seek asylum should be housed far from the frontier in accordance with the 1969 OAU Convention.

64. It was essential to establish transit and reception facilities so that people could return in complete safety, and the resettlement procedures must be better organized. UNHCR should play a leading role in mobilizing resources for the programmes of resettlement and reintegration in economic and social life. In view of the shortage of arable land, the resettlement sites might be located in the semi-arid and therefore infertile regions in the east and south of the country. Those regions lacked infrastructure and had little water. If they were to absorb a large number of returnees and their livestock, much would have to be done by way of infrastructure and development. The Government of Rwanda was incapable of taking up that challenge for the moment.

65. In order to enhance the cooperation between the Government of Rwanda and the United Nations agencies working for the refugees, Rwanda proposed the establishment without delay, as provided in the Arusha Peace Accord, of a commission made up of representatives of UNHCR, the Government of Rwanda and OAU. Tripartite commissions including the other Governments of the region might also be established to support the repatriation process. Such commissions would have a useful information role to play and could help to remove the obstacles to the return of the refugees under good conditions. Such efforts warranted the support of the international community.

66. The Rwandese Government reaffirmed its commitment to comply with the relevant instruments on the protection of refugees and thus to guarantee the security of people seeking refuge in Rwanda. However, it drew the attention of the international community to the fact that the perpetrators of acts of genocide must not find refuge or asylum in any country of the world and must be brought to justice in the country where the acts had been committed. To that end, an international tribunal to judge the perpetrators of the genocide in Rwanda should be created as soon as possible.

67. Rwanda was determined to collaborate with the Governments of the countries concerned and with the United Nations agencies in the repatriation of all the Rwandese refugees. In order to build confidence, in particular among the recent refugees, the Government had allowed the unrestricted movement of international protection workers and human rights observers throughout its territory. It categorically denied the assertions that it intended to organize systematic massacres in its territory and challenged the people who made such accusations to prove them. Members of UNAMIR were employed throughout the country and were ensuring that human rights were scrupulously respected.

68. In conclusion Rwanda appealed to UNHCR and the international community to provide the support which it desperately needed to relieve the suffering of the Rwandese people and it hoped that ad hoc mechanisms would be established to

ensure the joint management by UNHCR and the Rwandese authorities of the emergency humanitarian aid which all friendly countries were so generously providing.

69. Mr. KAMARA (Observer for Sierra Leone) said that, like all great human undertakings, the action to help refugees had produced successes but also disappointments, frustrations and even failures. It remained true nevertheless that UNHCR played an indispensable role and that the international community had perhaps never had such great need of it. While mankind had been able to make magnificent use of industrial and scientific progress to improve living conditions, effectively combat all sorts of diseases, and achieve amazing developments in communications, transport and teaching, it had not however, despite all the efforts which it had made to maintain peace, including the efforts made through the United Nations, succeeded in preventing civil wars and international conflicts with their train of destruction and tragedy - refugee flows, displacements, etc.

70. Owing to the proliferation of internal conflicts in Europe, Asia and South America, but especially in Africa, including Rwanda, Sudan, Liberia and Sierra Leone, the refugee problem was becoming increasingly difficult to solve, despite the considerable sums expended on it by United Nations agencies, NGOs and Governments. Sierra Leone took the opportunity to thank those whose tireless efforts had enabled it to participate in the work of the Executive Committee in order to study with its other members the strategies and policies to be pursued in order to assist refugees.

71. Sierra Leone had not been spared by war. The insurrection which had broken out in 1991 in the eastern and southern provinces and which had also been affecting the northern province since 1993 had caused unprecedented loss of life and destruction, compelling the State to devote most of its financial resources to the war effort to the detriment of development programmes. Following the extension of the conflict, the number of displaced persons (estimated at about 500,000 in 1993) had more than doubled in one year. In addition, some 270,000 citizens of Sierra Leone had sought refuge in Guinea and Liberia. But the continuing instability in Liberia and in part of Guinea had compelled more than 70,000 of them to return home. Unfortunately, as security had not yet been reestablished in their localities, they had had to join the displaced persons living in the already overcrowded camps. The Government of Sierra Leone requested UNHCR to be kind enough to continue to assist both the refugees who had returned to the country and the displaced persons, for their needs were the same.

72. Despite having to cope with enormous problems, to which the international community had not given due attention, and despite the continuing presence of more than 20,000 Liberian refugees on its soil, Sierra Leone remained fundamentally committed to the principles set out in the international instruments on refugees to which it was a party, i.e. the 1951 Convention and the 1967 Protocol and the 1969 OAU Convention.

73. The efforts of the Sierra Leone Government to bring the war to an early end and thus create suitable conditions for the return home of the refugees and internally displaced persons were being undermined by the rebels, who had rejected the Government's offer of amnesty, refusing to cease fighting and join in the rebuilding of the country. Assistance to the refugees and displaced

persons was a heavy burden on the country's meagre resources, and the provision of the necessary amenities and social services - water supply, sanitation facilities, housing, etc. - cost it an enormous amount. On behalf of the Government and people of Sierra Leone he wished to thank UNHCR, WFP, UNICEF, ICRC and the other specialised agencies of the United Nations, as well as the Governments and NGOs of friendly countries, for the support which they had given.

74. The National Reconstruction Committee (NARECOM) had been mandated by the Government to coordinate the use and distribution of resources for the reintegration of returnees and displaced persons and the recovery of the war-ravaged areas of the country. The Sierra Leone delegation wished to draw the Executive Committee's attention to the fact that, if it was to make the reintegration of returnees and the recovery effort a success, Sierra Leone would still need considerable assistance from the international community. In fact, as UNDP had noted in a report submitted to the Secretary-General in 1993, the reconstruction needs far exceeded the country's meagre resources. NARECOM had envisaged the implementation of an action plan with UNHCR and other bodies which focused on the following points: organization of a voluntary repatriation operation, a programme for reintegration, return to normal economic life and promotion of income-generating activities, the repair and reconstruction of infrastructure (schools, hospitals, bridges, water supply network, etc.), and a programme of national reconciliation. The Sierra Leone delegation therefore urged the international community to be kind enough to provide increased financial, material and moral aid to Sierra Leone to enable it to achieve those objectives.

75. U LINN MYAING (Observer for Myanmar) said that, following the Memorandum of Agreement signed in November 1993 by the Government of Myanmar and UNHCR concerning the organization of the voluntary repatriation of Myanmar nationals who had taken refuge in Bangladesh, UNHCR had opened a liaison office at Yangon and initiated the repatriation operation. The close cooperation between the Government and UNHCR was producing excellent results. Since the bilateral agreement concluded between the Governments of Myanmar and Bangladesh in September 1992 more than 78,000 refugees had returned to Myanmar, including 23,000 since the start-up of the cooperation programme with UNHCR in April 1994. By the end of 1994 the number of returnees was expected to reach 120,000. Measures had been taken to enable them to reintegrate themselves in society without too much difficulty. A number of NGOs were participating with the United Nations agencies in the community development programme. The Government was determined to continue its cooperation with UNHCR until all the aims of the repatriation programme had been attained.

76. The development of the border areas was one of the Government's priority aims, and development projects had been carried out since 1989 in those areas in order to combat the poverty and improve the living conditions of the local people. In 1992 a separate ministry had been created to take responsibility for such measures and enhance their effectiveness. Since May 1989 11.83 billion kyats ($US 300 million) had been allocated to the development of the border areas. In Rakhine State alone, 26.16 million kyats had been spent during the 1993-1994 budget year, and projected expenditure for the next year amounted to 11.1 million kyats. Between 1989 and June 1994, a total of 81.13 million kyats had been appropriated for development in Rakhine. That programme enjoyed the financial and technical support of several United Nations bodies. As a result

of the development efforts the living conditions of the people and, therefore, of the returnees from Bangladesh received in that region ought quickly to show considerable improvement.

77. Mr. NGUYEN LUONG (Observer for Viet Nam) said that his delegation noted with satisfaction that the representatives of many countries had delivered a positive judgement on the results of the implementation of the Comprehensive Plan of Action for Indo-Chinese Refugees. The Plan of Action, which was the fruit of international cooperation, had facilitated a humanitarian response to the problem of refugees and asylum- seekers without causing any political difficulties. The satisfaction stated by many delegations was even more gratifying since the Plan was now entering its final stage, which implied that lasting solutions had been found.

78. On behalf of the Government of Viet Nam the Vietnamese delegation wished to thank once again the countries of first asylum, UNHCR, the donor countries and, most particularly, the European Union for their contributions to their settlement of the problem of Vietnamese refugees and asylum-seekers, and reiterated that it was ready to cooperate to achieve the goals of the Plan of Action.

79. The Vietnamese Government too was concerned about the slowness of the return of the asylum-seekers who had been rejected and it was ready to discuss measures consistent with international practice to accelerate their voluntary repatriation in security and dignity. International assistance was needed for the reintegration of the returnees in Vietnamese society. With a view to such repatriation, information and education work should also be intensified in order to thwart a disinformation campaign which was being waged against the Comprehensive Plan of Action.

80. Following the agreement signed with Indonesia in October 1993 and with a view to the return, of their own accord or in an organized operation, of the Vietnamese who had not obtained refugee status, talks were to begin with Malaysia in mid-October 1994 and with the Philippines. The Vietnamese Government hoped that UNHCR would continue to play its role in those arrangements. It needed the country's present stability to continue if it was successfully to resettle the returnees from countries of first asylum but feared that the new immigration law enacted by a neighbouring country might have disruptive effects. According to the Western press, that law might in fact cause a new exodus of Vietnamese living in the country in question. Viet Nam counted on the understanding and solidarity of the international community in the search for a solution to the problem.

81. Mr. MHIRIBIDI (Observer for Zimbabwe) said that the operation to repatriate the Mozambican refugees in Zimbabwe which had begun in October 1993 was proceeding in good order and had already enabled more than 64,000 of the refugees to return to their countries of origin. Most of the Mozambicans in Zimbabwe should have been repatriated by the end of October. In view of the success of the repatriation operation, which was due to the cooperation between the three parties concerned, Mozambique, UNHCR and Zimbabwe, plans had been made to close a number of camps by the end of the year.

82. After the departure of the refugees attention would have to turn to the rehabilitation of the camp areas, and in particular the repair of the

environment, to which large-scale projects ought to be devoted. UNHCR must play the role of catalyst in that respect. The Senior Coordinator for the Environment had already visited the sites, and a procedure had been initiated for the start-up of large-scale projects in accordance with the interim guidelines for environment- sensitive management of refugee programmes.

83. The delegation of Zimbabwe was very appreciative of the way in which UNHCR had tackled the emergency in Rwanda and Burundi but, in its view, the Office would be even more effective if it had recourse to teams of qualified personnel in the countries of the region in which it was to intervene. Zimbabwe, which had a long experience of refugee problems, had experts who had been working in the Mozambican refugee camps but were now ready to take part in emergency operations in Africa and the rest of the world.

84. Unfortunately, although the repatriation of the Mozambicans was well under way, Zimbabwe had to receive increasing numbers of urban refugees from Angola, Rwanda, Burundi, Somalia, etc. Although they were fewer in number than the rural refugees, the material and human resources which had to be allocated to them were proportionately much bigger. The presence of refugees in an urban context posed particular problems. Innovative solutions would have to be found in order to help them to become independent and prevent the emergence of a dependency culture. Since unskilled refugees could hardly hope to become self-sufficient by obtaining jobs in the formal sector, and in any event the host country already had an abundance of unskilled labour, the main need was to try to create jobs in the informal sector.

85. When a dispute arose, an effort must always be made to try to settle it by means of dialogue, in order to prevent situations which might lead to population movements, and to create the necessary conditions for lasting solutions to the refugee problem. The delegation of Zimbabwe thought indeed that the Executive Committee, in the follow-up to its deliberations, should give priority to such a preventive approach.

86. Mr. RANDOLPH (Observer for Benin) said that, owing to its geographical position and legendary hospitality, his country had always received refugees of various nationalities. Most of the 75,000 refugees currently in Benin were from Togo but there were also people from Chad, Zaire, Burundi, Rwanda, Cameroon, Algeria and the Central African Republic. In order to help the refugees Benin, having drawn on its own meagre resources, had drafted and implemented, with the aid of the international community, a multidimensional programme to meet their needs in various areas: food, health, hygiene, infrastructure, education, socio-economic integration, and assistance to vulnerable groups. The reopening of the UNHCR office in Cotonou and its recent elevation to branch office status had facilitated the coordination necessary for the success of the programme, which was now in its second year of implementation. The delegation of Benin wished to thank more particularly the specialized agencies of the United Nations, such as WFP, UNICEF and WHO, and the Governments of the People's Republic of China, Morocco, Korea, Germany and Austria for their support. Thanks were also due to the NGOs and other operational partners, whose daily work in the field made a big contribution to easing the plight of the people who had taken refuge in Benin.

87. While it appreciated what had been done, the Government of Benin drew the attention of the international community to the fact that, contrary to the

impression created by cunningly orchestrated propaganda abroad, there had been and still were refugees from Togo in Benin, as indeed the OAU field mission had established in the first quarter of 1994. Their total had been estimated at 112,000 a year earlier, and they currently numbered about 73,000; 60,000 of them were receiving assistance. The decline in their number, which the Benin Government welcomed, was due to the initiatives taken in various quarters to restore peace in Togo. But it must be noted that, still fearing for their lives and safety, some of the refugees preferred to remain in Benin despite the precariousness of their living conditions.

88. At present the Togolese refugees in Benin needed protection against the various manoeuvres designed to force them to return to their country. The manoeuvring and manipulation to which the refugees were subjected ranged from the detonation of Molotov cocktails in the refugee centres to the establishment at great cost of recruitment networks seeking candidates for paid repatriation, and they included false promises of jobs in Togo. Under the various relevant international legal instruments, repatriation could constitute a lasting solution only when it was voluntary and took place in security and dignity. In no case could it be compulsory. The delegation of Benin reaffirmed that it was not for the Government of Togo to persuade the refugees to return. But it was the responsibility of the Togolese authorities to take action to restore a climate of trust to encourage, with the full knowledge of the international community, the voluntary return home of its nationals. For its part, the Government of Benin was convinced of the need to send a joint UNHCR/OAU mission to the countries of reception and origin. Such a move would facilitate the negotiations necessary for the settlement of the painful problem of the Togolese refugees.

89. The twenty-fifth anniversary of the adoption of the OAU Refugees Convention and the twentieth anniversary of its entry into force offered an appropriate occasion for evaluating the refugee phenomenon in Africa. At the forty-fourth session all the members of the Executive Committee had drawn attention to the worrying growth of the phenomenon in the space of a decade. The statistics on refugees in Africa were clear: their number had increased from one million in 1989 to more than six million. And there were now 15 million displaced persons. About a third of the world's refugees were in Africa. It was therefore in Africa, the least advanced continent, that the refugee problem was felt most acutely.

90. The black continent seemed to take a masochistic pleasure in plunging into chaos. Its tragic situation was as source of profound concern to Benin. The development of Africa and the survival of its people as solid entities would depend on the solution found for the refugee problem, which had forced into exile and beggary thousands of men, women and children who were the essential resources of any development. The international community usually reacted by mobilizing resources to increase refugee relief. But the magnitude of the phenomenon and its consequences on people and the environment now meant that the problem must be tackled at its roots - poverty, crises, armed conflicts, etc. The international community must also take vigorous action to stir consciences and promote a democratic culture based in particular on human rights education, compliance with the principle of alternation of political power, respect for dialogue, and participatory politics at all levels. In fact, at the dawn of the 21st century Africa must stabilize and develop itself in order to participate

fully in the advent of the new world order. That was a challenge which must be taken up at the World Summit on Social Development in March 1995.

91. Mr. CHEBROT (Uganda) said that his Government was very sensible of its moral and legal obligations to asylum-seekers and he reaffirmed his country's commitment to fulfilling its responsibilities under various international instruments, including the 1969 OAU Refugees Convention, which stated in article 2, paragraph 2, that the granting of the right of asylum was a peaceful and humanitarian act. The Government of Uganda wanted to have friendly relations with its neighbouring countries and talk to them to prevent any misunderstandings. It requested the international community to support the regional efforts to find lasting solutions to refugee problems. It also wished to reaffirm its support for the High Commissioner, who was endeavouring through her apolitical, neutral and impartial humanitarian action to guarantee refugees international protection and alleviate their plight.

The meeting rose at 1.05 p.m.